

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
                                Plaintiff,      )         **8:20CR164**  
                                )  
                                vs.                 )  
                                )  
ROBERT RUSH and JA'HVONT PAYNE, )             **ORDER**  
                                )  
                                Defendants.     )  
                                )  
                                )  
                                )

This matter is before the court on the defendant, Ja'hvont Payne's unopposed Motion to Continue Trial [72]. Counsel needs additional time to discuss plea negotiations. For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [72] is granted, as follows:

1. The jury trial, **for both defendants**, now set for May 10, 2020, is continued to **June 21, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and June 21, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

**DATED: April 29, 2021.**

**BY THE COURT:**

**s/ Michael D. Nelson  
United States Magistrate Judge**